

**IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF PENNSYLVANIA**

|                          |   |  |
|--------------------------|---|--|
| BLAIR DOUGLASS,          | ) |  |
|                          | ) |  |
| Plaintiff,               | ) |  |
|                          | ) | Case No. 2:22-cv-00945                 |
| v.                       | ) | Consolidated at Case No. 2:22-cv-00936 |
|                          | ) |  |
|                          | ) |  |
| METABOLIC MEALS, L.L.C., | ) |  |
|                          | ) |  |
| Defendant.               | ) |  |

**DEFENDANT METABOLIC MEALS, L.L.C.'S MOTION TO DISMISS**

Pursuant to Federal Rule of Civil Procedure 12(b)(6), Defendant Metabolic Meals, LLC respectfully moves to dismiss plaintiff Blair Douglass' Complaint, with prejudice, for failure to state a claim upon which relief can be granted. In support of Defendant's motion, Defendant submits the memorandum of law filed herewith.

Date: September 30, 2022

Respectfully submitted,

/s/ Christian Antkowiak

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*Attorneys for Defendant,  
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**CERTIFICATE OF CONFERRAL**

Pursuant to this Court's Order regarding Rule 12(b) motions practice, counsel for Defendant hereby certifies that, prior to the filing of the above motion, counsel for Defendant consulted with counsel for Plaintiff, Kevin Tucker, and discussed Defendant's relief sought herein.

Date: September 30, 2022

Respectfully submitted,

/s/ Christian Antkowiak

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*Attorneys for Defendant,*

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on the 30<sup>th</sup> day of September 2022, a copy of the above and foregoing was served to all parties who are properly registered with the Court's electronic case filing system in accordance with the Court's rules.

/s/ Christian Antkowiak